NOMINATIONS OF GEOFFREY M. ALPRIN AND VIRGINIA L. RILEY

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF GEOFFREY M. ALPRIN AND VIRGINIA L. RILEY TO BE ASSOCIATE JUDGES OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

DECEMBER 7, 1982

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NOMINATIONS OF GEOFFREY M. ALPRIN AND VIRGINIA L. RILEY TO BE ASSOCIATE JUDGES OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

TUESDAY, DECEMBER 7, 1982

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The committee met at 2:40 p.m., in room 3302, Dirksen Senate Office Building, Hon. Charles McC. Mathias, Jr., presiding.

Present: Senator Mathias.

OPENING STATEMENT OF SENATOR MATHIAS

Senator MATHIAS. The committee will come to order.

We will be meeting today to take testimony with respect to the nominations by the President of the United States to fill vacancies on the Superior Court of the District of Columbia.

The two scheduled witnesses are Geoffrey M. Alprin, who is nominated to be the associate judge, and Virginia L. Riley, who is nominated to be an associate judge.

We will ask you both to come forward together.

While you are standing, let me ask you both to raise your right hands. Do you swear the testimony that you are now about to give to this committee will be the truth, the whole truth and nothing but the truth, so help you God.

Ms. RILEY. I do.

Mr. ALPRIN. I do.

Senator MATHIAS. Let me say, first of all, that the committee is very grateful to each of you for the cooperation that you have given to members of the staff during the preliminary investigation, which has taken place after your nominations.

We have followed a strict rule of careful investigation of nominations in this committee customarily, and that has been the case with these nominations.

In 1978, the committee adopted rule VIII, which contains the requirements which must be met on all confirmations subject to committee evaluation. This rule requires that the committee conduct an inquiry into the nominee's experience, qualifications, suitability, and integrity to serve in the position for which nominated.

The committee believes that this rule assures a thorough and, yet, I think, a reasonable kind of review of a nominee's background and qualifications.

I think it might be useful just to recount briefly, for the record, the steps that the committee has taken prior to this hearing today.

First, the nominees were asked for and supplied detailed information on education, employment, professional achievements, and, of course, complete financial statements.

The financial statements and biographical information on each nominee are available not only for inspection by the members of this committee, but for any interested person in the public, and for that purpose, they are kept on file in the committee office.

In addition, the biographical information on each nominee will be a part of this record.

The committee proceeded, then, to review the nominees' biographical and financial information as well as reports submitted by the Office of Judicial Ethics.

Following that, it fell to me to review the FBI reports prepared on each nominee. These reports have also been submitted to the ranking minority member, the Senator from Missouri, Mr. Eagleton.

Finally, each nominee was individually interviewed by designated staff members, who then submitted a report to members of the committee containing all relevant information concerning each nominee's qualifications for the position to which he or she has been nominated.

At this time, we will now proceed with testimony and I will ask Mr. Alprin, first, if he has any statement that he would like to make to the committee.

TESTIMONY OF GEOFFREY M. ALPRIN AND VIRGINIA L. RILEY, NOMINEES TO BE ASSOCIATE JUDGES OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. ALPRIN. Mr. Chairman, I have no prepared statement. I would be happy to recount some of my qualifications and background.

I would ask the Chair, if I might introduce my family accompanying me.

Senator MATHIAS. It would be a great pleasure if you would do that.

Mr. ALPRIN. Thank you, Mr. Chairman.

I am accompanied here today by my wife, Linda.

Senator MATHIAS. Linda.

Mr. ALPRIN. My son, Scott.

Senator MATHIAS. Scott.

Mr. ALPRIN. My daughters, Katherine and Rebecca, and my brother, Brian.

Senator MATHIAS. Well, it is a great pleasure to have all of you here, particularly your children, Scott and Rebecca and Katherine. I cannot think of any greater motivation for service on the bench than having them looking over your shoulder.

I am glad they are here looking over your shoulder today.

Mr. ALPRIN. Thank you, Mr. Chairman.

I would, if the chairman wishes, briefly review my educational background and my work experience over the last 17 years since I left law school.

I attended the public schools of Providence, R.I., and then the University of Pennsylvania from 1957 to 1961, and Georgetown University Law Center in 1961 through 1964.

I received a J.D. from Georgetown, and thereafter, was appointed to become law clerk at large for the United States Court of Appeals for the District of Columbia Circuit. I stayed in that position for a year, following which I was fortunate enough to be appointed an assistant U.S. attorney for the District of Columbia and remained in that position for 3 years, during which time I tried hundreds of criminal cases, felonies, misdemeanors, jury cases, and cases tried to court alone.

I entered private practice in 1968 for 2 years with a law firm in Washington, D.C.; and in June 1970, I became deputy general counsel, and thereafter, general counsel, for the Metropolitan Police Department of the District of Columbia; in late 1973, Assistant Director of the National Institute of Law Enforcement and Criminal Justice, which is now the National Institute of Justice; and in 1977, I became deputy corporation counsel in charge of the criminal division in the District of Columbia Government.

That is my position today.

Senator MATHIAS. Ms. Riley, before I ask Mr. Alprin any questions, would you like to make any statement?

Ms. RILEY. Thank you, Mr. Chairman.

First, I would like your indulgence to introduce my closest family, my cousins Carolyn and Margaret Holloran and Carolyn Diehl, and my good friends, Jean Phillips and Olinda Brown.

They are giving me moral support here today.

Senator MATHIAS. They are all very welcome here, and I know they are very proud of your accomplishments and of the confidence implicit in the President's nomination.

Ms. RILEY. Thank you.

Shall I proceed to give some of my education and experience?

Senator MATHIAS. Yes.

Ms. RILEY. I was born and raised in Washington and attended our very fine public schools. I was fortunate to be the recipient of Women's Bar Association of D.C. scholarship for pre-law and a Kappa Beta Pi International Legal Sorority scholarship for law school at National University, which is now part of the George Washington National Law Center.

Later, I took my Master's Law Degree at George Washington National Law Center, I have been in the general practice of law for 31 years, the first 11 of which were with the Firm of Smith, Ristig & Smith, and the remainder with Pierson, Ball & Dowd, of which firm I have been a partner for the last 10 years.

As is customary, particularly in a city such as Washington, and in a reasonably large sized law firm, I have tended to gravitate towards certain areas of specialty as may be needed in the law firm.

I am generally regarded as a Renaissance woman at the firm, but I have acquired special expertise in corporate law and also in probate and trust law.

I should mention, in the latter connection, that anyone who hopes to be a good probate and trust lawyer also has to become reasonably expert in tax law, including income tax, as well as estate and gift tax, and also in contract, torts, property law; in some cases, even domestic relations, because what you are doing in the probate of an estate is winding up a person's life; every life has its complications, and these are reflected in a lot of branches of law.

In that practice, I have handled all of the litigation of Pierson, Ball & Dowd related to the fiduciary area, either in the position of executor or administrator, or as attorney for the executor or administrator, and very often have been appointed by the Court as the guardian ad litem for minors in estate cases and guardianships, as well as conservator for wards in conservatorship cases

As it turns out, few of these litigated matters went to trial, but I was often involved in discovery and in motions practice.

I would like to think that it was because I had prepared my cases so well that my adversaries usually wanted to settle.

Senator MATHIAS. That is desirable. My father always used to say, the thin file with the release was the best way to have a case end.

Let me ask, Mr. Alprin, is there anything of which you are aware in your background, professional or personal, which might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. ALPRIN. Well, I currently am the deputy corporation counsel for the criminal division in the Office of the Corporation Counsel. The District of Columbia Government, as you know, litigates intensively in Superior Court.

I would think it would be wise, if you agree, to recuse myself in any case which comes before the court and which is pending in our office as of this time.

I would be happy to agree to that.

Senator MATHIAS. How about you, Miss Riley?

Ms. RILEY. Clearly, I could not sit on any cases in which I had worked as an attorney during my period in general practice.

I think it might also be necessary for me to recuse myself from cases in which my law firm represents a party in interest. I do not know whether that recusal would be required for longer than a specific period such as the period during which I might be entitled to a payout of my interest in the firm.

I understand that Chief Judge Moultrie has, in similar cases, where a judge designate comes from a law firm, worked out a conflict of interest agreement that is satisfactory to this committee, and I would undertake to negotiate such an agreement if my appointment is confirmed.

Senator MATHIAS. But you are advising us that you will follow whatever the traditional practice is in that respect?

Ms. RILEY. That is correct.

Senator MATHIAS. Mr. Alprin, do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging your responsibilities as a judge in the court to which you have been nominated?

Mr. ALPRIN. No, sir, I do not.

Senator MATHIAS. Ms. Riley?

Ms. RILEY. No, sir.

Senator MATHIAS. This is a little tougher question, because it involves looking into the future, which is very difficult for mortals to do.

To the extent that you can look into the future and predict your own plans, your own expectations, can you tell us, if you are confirmed by the Senate, whether it is your present intention, insofar as you can state it, to serve the full 15-year term of office?

Mr. ALPRIN. Yes, sir, it is.

Ms. RILEY. It is my intention to do so.

I should point out to the chairman that I am now 59 years of age and will hit the 70-year required retirement time within that 15-year period.

I understand it is possible to continue to serve after the retirement date at the pleasure of the court.

Senator MATHIAS. That is the point that Judge Dennis, in Baltimore, used to refer to somewhat bitterly as "constitutional senility." [Laughter.] Of course, you are exactly right that we have many very fine judges who continue to contribute past the retirement age, as a result of the arrangements by which they came voluntarily to that very thing.

But what we are interested in as a committee is some continuity and stability on the bench, not people who go to the bench with the likelihood that they are only going to stay a year or two and then move on.

I am reassured by both of your answers on that point.

Mr. Alprin, have you ever been involved in civil litigation or administrative or legislative proceedings of any kind, either as plaintiff, defendant, respondent, witness, or a party or interest which are directly or indirectly related to the office to which you are nominated?

Mr. ALPRIN. Not that was related directly or indirectly. I was sued in an automobile accident, and I noted that suit on the committee's questionnaire. That is the only litigation I have been a party to.

Senator MATHIAS. That case has long since passed, I gather?

Mr. ALPRIN. Yes; it has been over for over 10 years, I think. Even though I think the jury reached the wrong result, it has been concluded finally for many years.

Senator MATHIAS. I hope you have no more like it for every reason.

Mr. ALPRIN. Thank you.

Senator MATHIAS. Miss Riley?

Ms. RILEY. I am not involved and have not been involved in any litigation that directly affects the office to which I have been appointed.

I have, on occasion, been a litigant in a fiduciary capacity in one of my positions as executor or administrator. In addition, on perhaps two or maybe three occasions, our law firm has been sued.

In none of these was I directly involved. In none of them would there be any conflict, to the best of my knowledge, with my position as a judge on the superior court.

Senator MATHIAS. And none of those cases are now pending in the superior court?

Ms. RILEY. That is correct.

Senator MATHIAS. Mr. Alprin, have you, or any member of your immediate family, ever been involved in controversy or litigation with tax authorities of the Federal Government, the District of Columbia or any other State or local government?

Mr. ALPRIN. No, sir.

Senator MATHIAS. Miss Riley?

Ms. RILEY. I have, on occasion, had some disagreements with Internal Revenue, but nothing that has gone beyond an office audit, and all of it has been resolved satisfactorily.

Senator MATHIAS. You mean you have simply had a little argument with the Internal Revenue as to how much was due on——

Ms. RILEY. That is correct. Occasionally, they have asked for supporting vouchers for certain of my deductions and also for evidence of income, and in each case, I have supplied it.

Senator MATHIAS. I think every citizen has not only the right to do that, but, really, the duty to do that, because that keeps the tax authorities on their toes as well as demonstrating that citizens are on their toes.

I think that our system works better under those conditions, so that certainly there is nothing wrong with that.

You did say, Miss Riley, that your cases had been prepared in a way that you got the thin file with the release in it.

Ms. RILEY. I was referring to those that had gone to litigation but very few resulted in trial.

Senator MATHIAS. What about trial practice in each of your professional experiences?

Mr. ALPRIN. Well, between 1965 and 1970, I must have tried between 200 and 300 cases while a member of the U.S. attorney's office here in the District and also, to a lesser extent, while in private practice for the following several years.

I have not tried cases since that time, but I have supervised an office of 28 lawyers at this time which is in court every day trying cases, and I am comfortable with trial practice.

Ms. RILEY. I do not have trial practice background, the trial practice background that Mr. Alprin was fortunate in having.

During the first 10 years that I was with Pierson, Ball & Dowd, I supervised the law clerks, all of the law clerks for the firm who did much of the basic, both research and trial preparation for cases that ran the gamut from civil to criminal.

Many of my probate and other fiduciary cases involve court appearances, usually in the motions area; quite often cases have gone through discovery and through a number of pleadings and briefs.

Relatively few have gone to trial.

Senator MATHIAS. But you feel comfortable in the courtroom?

Ms. RILEY. I feel comfortable in the courtroom, and all my life I have been able to do what I put my mind to do. I do think that the Superior Court of the District of Columbia is, perhaps, the most important court here, because that is where the people of the District of Columbia get their impressions of justice.

I am diligent and cognizant of the fact that I will have a lot of homework to do to get up to speed in trial matters, but you can be most assured that I will be diligent and do so.

Senator MATHIAS. I think, of course, it is extremely important that a trial judge understand the rules of the game and can follow the flow of argument and of tactical maneuvers. But in addition to that, one of the most important things that the judge can bring to the bench is an understanding of the need for judicial temperament.

I am wondering, Mr. Alprin, how you would define judicial temperament?

Mr. ALPRIN. Well, at the risk of being contradicted by the people sitting immediately behind me, I would say that I have observed many judges in the last 15, 17 years, in several courts; some have what I consider to be the appropriate judicial temperament. Others don't, or at least, don't exhibit it at all times.

It is hard to define. I think it is an ability to keep an even keel; not to become overly angry at mistakes that are made; not to think too much of yourself as a judge in that position; trying to remain cognizant of who you are and the fact that you are attempting to project am image of fairness and justice, and to do justice as best you can.

It is hard to define, I think, Mr. Chairman, but good judges seem to be able to put all of those characteristics together and project that kind of a composite image. I can't define it any better, but I know what I mean and I know, I think, from several examples, the kind of judge I want to be, if I am fortunate enough to be confirmed.

Senator MATHIAS. Ms. Riley?

Ms. RILEY. I think Mr. Alprin's definition is excellent.

I would add, I think, the concept that everyone in the courtroom should be accorded respect and dignity and be made to feel that they are important parts of the juicial process. I think that properly a court has to be an orderly court, and the judge must be sufficiently composed and fair to run an orderly court.

Senator MATHIAS. One of my early experiences as a young member of the bar was to try cases in the presence of a judge who was very interested in how young lawyers developed as practitioners and how young lawyers gained courtroom experience. He was always meticulous at correcting mistakes that we made, but always in a very thoughtful, sensitive way.

If some statement were made or some position taken that he couldn't follow, he would call the lawyers to the bench and say, "That is a novel concept of the law, and I want you to explain it to me."

As a result, as young lawyers, we had a great deal of opportunity to learn while we were actually engaged in the practice of law.

I have also had experience with judges who were not quite as sensitive; who would bark out their criticisms publicly before the whole courtroom, jurors, clients, public. That is not only a more abrasive experience, but it is probably of less value as a learning experience.

I just wondered, Mr. Alprin, what your philosophy was as to dealing with new members of the bar?

Mr. ALPRIN. I agree with your comments, Mr. Chairman.

We have, on Superior Court now, we have judges who would fit probably both role models that you have just described. I prefer, I think, the type that would quietly and carefully, and not publicly, try to correct mistakes.

Some judges actually take lawyers to their chambers after the case is concluded and discuss how a case was tried, critiquing their performance. Some of the lawyers in my office have gone through that process with some of the judges on the court, and they are very happy to be able to benefit from that process. That kind of nonpublic educational process is, in my judgment, preferable, and it is the kind, I think, I would try to follow.

Senator MATHIAS. Miss Riley?

Ms. RILEY. Implicit in my answer to your last question would be included the concept of granting dignity to the lawyers appearing before the court.

Senator MATHIAS. It seems to me there are special opportunities that judges have because of the position they hold, not only in the courtroom, but in the community, to generate the interest and the respect of young lawyers.

I would hope that this will continue to be an aspect of being a judge, although it is not necessarily in the standard job description. It is an important part of being a lawyer and a lawyer in a senior position, including a position on the bench.

I want to congratulate both of you.

Is there anything that either of you would like to say further in this hearing?

Ms. RILEY. Not I, sir.

Mr. ALPRIN. I would just like to thank the staff, Miss Mayer and Miss Crenshaw, for being so kind to, actually, both of us.

Ms. RILEY. I join in that. They have been most helpful in assisting and expediting this process.

[The biographical and financial information submitted by the nominees follows:]

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

GEOFFREY M. ALPRIN

A. BIOGRAPHICAL INFORMATION

Question 1. Name: (Include any former names used.)

Answer. Geoffrey Michael Alprin; I am known as "Jeff" to friends and colleagues.

Question 2. Address: List current residence address and mailing address.

Answer. 6604 31st Street, N.W., Washington, D.C. 20015.

Question 3. Date and Place of Birth.

Answer. October 12, 1939, Providence, Rhode Island.

Question 4. Marital Status: (Include maiden name of wife or husband's name.)

Answer. Married on August 13, 1966 to Linda Ann Silverman of Fort Wayne, Indiana.

Question 5. Names and ages of children.

Answer. Michael Scott Alprin, age 12; Katherine Jean Alprin, age 10; Rebecca Ann Alprin, age 4.

Question 6. Education: List institution(s), dates attended, degree received and date degree granted.

Answer. (a) Classical High School, Providence, Rhode Island, 1953–1957; Academic Diploma, 1957. (b) University of Pennsylvania, Philadelphia, Pennsylvania, 1957–1961; A.B., 1961. (c) Georgetown University Law Center, Washington, D.C., 1961–1964; J.D., 1964.

Question 7. Employment record: List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

Answer. (a) June 1961 to August 1961—Real Estate Assessor and Valuator, Providence Redevelopment Agency, Providence, Rhode Island (summer position prior to entering law school).

(b) June 1962 to August 1962—Real Estate Assessor and Valuator, Cole, Layer and Trumble (private company conducting a real estate evaluation in Providence on contract at the time), Providence, Rhode Island (summer position while in law school).

(c) June 1963 to September 1963—Legal Intern, United States Department of Labor, Office of the Solicitor (supervisor—James Beaird, Esq.), 8701 Georgia Avenue, Silver Spring, Maryland (summer position while in law school).

(d) August 1964 to August 1965—Law Clerk at Large (Motions Clerk), United States Court of Appeals for the District of Columbia Circuit (supervisor—Hon. Carl McGowan, Circuit Judge), Washington, D.C. (one year appointment).

(e) August 1965 to August 1968—Assistant United States Attorney, Washington, D.C. Served in General Sessions, Appellate, Grand Jury, and Criminal Trial Divisions under various supervisors, although the United States Attorney during virtually all of tenure was Hon. David C. Bress.

(f) August 1968 to June 1970—Private practice of law with the firm of Sachs, Greenebaum and Frohlich (now Sachs, Greenebaum and Tayler), 839 17th Street, N.W., Washington, D.C. (now 1620 Eye Street, N.W., Washington, D.C. 20006) (supervisor—Sidney S. Sachs, Esq.).

(g) June 1970 to September 1973—Deputy General Counsel, then General Counsel, for the Metropolitan Police Department of the District of Columbia (selected for this position by, and as General Counsel worked directly for, Chief of Police Jerry V. Wilson), 300 Indiana Avenue, N.W., Washington, D.C.

(h) September 1973 to April 1977—Assistant Director, National Institute of Law Enforcement and Criminal Justice (U.S. Department of Justice, Law Enforcement Assistance Administration) (supervisor—Gerald M. Caplan, Esq.), Washington, D.C. (directed division that funded various criminal justice research projects throughout the nation).

(i) April 1977 to present—Deputy Corporation Counsel in charge of the Criminal Division, Office of the Corporation Counsel, District of Columbia Government (current supervisor—Hon. Judith W. Rogers, Corporation Counsel; previous supervisors—Corporation Counsels Louis P. Robbins, Esq. and John R. Risher, Jr., Esq.) Washington, D.C. (in charge of the Criminal Division, which handles the prosecution of over 15,000 criminal cases per year).

Question 8. Government Experience: List any experience in, or association with Federal, state or local governments, including any advisory, consultative, honorary or other part-time service or positions.

Answer. Please see paragraphs (a), (b), (c), (d), (e), (g), (h), and (i) in response to question 7, above.

Question 9. Business Relationships: List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership or other business enterprise, educational, or other institution.

Answer. September 1982 to present: I am presently employed as a part-time evening instructor by Montgomery College, Rockville, Maryland, and I am teaching a course at that institution in Labor-Management Relations and Equal Employment Opportunity Law. The course meets once a week on Tuesday evenings for three hours.

In 1980 I was President of the Montgomery County Amateur Hockey Association, located in Montgomery County, Maryland (otherwise known as the Wheaton Hockey Club).

From April, 1981 to April, 1982, I was President of Capital Beltway Hockey League, an association of nine youth hockey organizations in the Baltimore-Washington area; although I am no longer President of that association, I remain on the Board of Directors at the present time. Other than these relationships, the answer to question 9 is "none."

Question 10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, charitable and other organizations.

Answer. District of Columbia Unified Bar, 14th and H Streets, N.W., Washington, D.C. (1964 to the present) ; Assistant United States Attorney's Association, c/o United States Attorney's Office, Washington, D.C. (1970 to the present) ; Aircraft Owners and Pilots Association, Bethesda, Maryland (1968–1972) ; Phi Delta Phi Legal Fraternity, Washington, D.C. (1963–present) ; Tau Delta Phi Fraternity, University of Pennsylvania, Philadelphia, Pennsylvania (1958–1961) (Vice-President in 1960–61) ; American Bar Association, Washington, D.C. (1965–1979) ; Montgomery County Amateur Hockey Association, Montgomery County, Maryland (President, 1980–81) ; Capital Beltway Hockey League, Washington Metropolitan Area (President, 1981–82).

Question 11. Political affiliations and activities: List all offices with a political party or any public office for which you have been a candidate. List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

Answer. I have been registered as an independent for the last 10 years, both in Maryland, where I lived from 1973 to 1979, and in the District of Columbia since that time. I have held no office with a political party nor have I been a candidate for any public elective office. I have held no memberships or offices in, nor have I contributed financially to, any political party or election committee during the last 10 years.

Question 12. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements.

Answer. (a) Tuition scholarship, Georgetown University Law Center, 1963–1964 (as a result of being selected to be Managing Editor of the Georgetown University Law Journal in 1963) ; (b) William A. Jump Memorial Foundation Award for Public Administration (Honorable Mention), while Assistant Director of the National Institute of Law Enforcement and Criminal Justice in 1976.

Question 13. Published Writings: List the titles, publishers and dates of books, articles, reports or other published materials you have written.

Answer. (a) "The District of Columbia's Case Review Unit," *Police Chief Magazine* (Monthly Publication of the International Association of Chiefs of Police), April, 1973; (b) "Controlling Police Misconduct; Alternatives to the Exclusionary Rule," *Law and Contemporary Problems*, Winter Ed., 1971 (with Jerry V. Wilson) ; (c) Recent decision note, 51 Georgetown L.J. 399 (1962).

Question 14. Speeches: Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have written copies of and which are on topics relevant to the position for which you have been nominated.

Answer. None.

Question 15. Selection: (a) Do you know why you were chosen for this nomination by the President? (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

Answer. (a) I am not aware precisely of the reasons underlying the President's decision to nominate me for this position. I would hope that his decision was based on my academic and professional record, as well as what I hope and believe to be a reputation in the legal community of the District of Columbia for honesty and integrity.

(b) I have held a series of important positions in the justice system since my graduation from law school in 1964. While an Assistant United States Attorney between 1965 and 1968 and in private practice during the following two years, I handled a great number of trials of important criminal and civil matters, as well as representing the Government before both appellate courts of the District of Columbia. Thereafter, I accumulated substantial supervisory and managerial experience as General Counsel of a large and important urban police agency, program manager of a division of the National Institute of Law Enforcement and Criminal Justice which administered a research budget of over twenty million dollars each year, and finally as director of a municipal prosecutor's office of approximately 30 attorneys responsible for the handling of over 15,000 criminal and juvenile delinquency cases each year. This extensive line and managerial experience, accumulated over a period of 18 years, has, in my judgment, qualified me for appointment to the Superior Court of the District of Columbia.

B. FINANCIAL DATA (RETAINED IN COMMITTEE FILES)

C. FUTURE EMPLOYMENT RELATIONSHIPS.

Question 1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

Answer. Yes, with the possible exception of retaining a business association with Montgomery College, Montgomery County, Maryand, where I am currently a part-time instructor (one evening per week).

Question 2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

Answer. No, except with respect to some part-time teaching as indicated above.

Question 3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

Answer. No.

Question 4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

Answer. No.

Question 5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

Answer. Yes.

D. POTENTIAL CONFLICTS OF INTEREST

Question 1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

Answer. None.

Question 2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

Answer. I do not believe that any of the investments, obligations or liabilities identified in section B of this statement could possibly involve potential conflicts of interest. Beyond those identified in section B, there are no other investments, obligations, liabilities or relationships that I can conceive of possibly causing a potential conflict of interest if I am fortunate enough to be confirmed by the Senate and appointed to the Superior Court.

Question 3. Describe any business relationship, dealing or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

Answer. I have been Deputy Corporation Counsel in charge of the Criminal Division of the Office of the Corporation Counsel since April 1977, and in that capacity I have participated, at least nominally, and in some cases substantially, in thousands of matters prosecuted by the Criminal Division of that Office. If I am fortunate enough to be confirmed by the Senate and appointed to the Superior Court, I will rescue myself from any case or matter in which the District of Columbia was a party during my tenure as Deputy Corporation Counsel.

Question 4. Describe any activity during the past ten years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

Answer. During my tenure as Deputy Corporation Counsel (since 1977), I have on occasion assisted the Corporation Counsel in preparing testimony and actually testifying before the Council of the District of Columbia on matters involving criminal law and procedure and with regard to the budget for the Office of the Corporation Counsel. In a broad sense, all my activities as the person in charge of the Criminal Division of this Office have been intended to affect the administration and execution of law and public policy, but there are no specific instances of such activities which stand out in my mind, or which would affect my ability to act fairly and impartially as a judge of the Superior Court of the District of Columbia.

Question 5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

Answer. As noted above, I will rescue myself from any matter in which the District of Columbia was a party during my term of office as Deputy Corporation Counsel.

Question 6. Do you agree to have written opinions provided to the Committee by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any other legal barriers to your serving in this position?

Answer. Yes.

E. LEGAL MATTERS

Question 1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer. No.

Question 2. Have you even been investigated, arrested, or charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulations or ordinance, other than a minor traffic offense? If so, provide details.

Answer. In October 1962, I forfeited collateral in the amount of $376 as a result of the accumulation of 19 parking tickets while a student in law school in the District of Columbia. Other than that incident, the answer to question 2 is no.

Question 3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceedings or civil litigation? If so, provide details.

Answer. Over 10 years ago I was sued as a result of a traffic accident which occurred in the District of Columbia in the 1700 block of East Capitol Street near Kennedy Stadium. I was represented by the Government's Employees Insurance Company. The case eventually went to trial in the District of Columbia Superior Court and a verdict was rendered for the plaintiff (Vernon Gundy). The verdict was eventually satisfied by GEICO. I have not been involved as a party in either civil litigation or other administrative agency proceedings, other than this case.

Question 4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense?

Answer. Please see response to question 2 above. Other than the incident referred to in the answer to that question, the answer to question 4 is no.

Question 5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

Answer. I know of no additional information.

F. QUESTIONS CONCERNING STATUTORY QUALIFICATIONS, PURSUANT TO DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970, SEC. 11–1501(b) OF THE D.C. CODE AS AMENDED

Question 1. Are you a citizen of the United States?

Answer. Yes.

Question 2. Are you a member of the bar of the District of Columbia?

Answer. Yes.

Question 3. Have you been a member of the District of Columbia bar for at least 5 years? (Give year in which you became a member.)

Answer. Yes. 1965.

Question 4. If the answer to No. 3 is "no,"

(a) Are you a professor of law in a law school in the District of Columbia?

(b) Are you an attorney employed in the District of Columbia by the United States or the District of Columbia?

(c) Have you been eligible for membership in the bar of the District of Columbia for at least 5 years?

(d) Upon what grounds is that eligibility based?

Answer. Not applicable.

Question 5. Are you a bona fide resident of the District of Columbia?

Answer. Yes.

Question 6. Please state the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last 5 years.

Answer. July 9, 1979 to present: 6604 31st Street NW., Washington, D.C. 20015; 1973 to July 1979: 7705 Geranium Street, Bethesda, Maryland 20034.

Question 7. Have you maintained an actual place of abode in such area for at least 5 years?

Answer. Yes.

Question 8. Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nomination Commission?

Answer. No.

Question 9. Have you been a member of either Commission within the last 12 months?

Answer. No.

G. STATUS OF TAX LIABILITY

Question 1. Would you state for the record whether all your taxes, Federal, State and local, are current as of this date?

Answer. All such taxes are current as of this date.

Question 2. Are you or any member of your immediate family presently involved in any controversy or litigation with tax authorities of the Federal government, the District of Columbia, or any State or local governments?

Answer. No.

Question 3. Have you or any member of your immediate family ever been involved in such controversy or litigation at any time in the past with any Federal, District of Columbia, State or local government?

Answer. No.

Question 4. Have any tax liens, either Federal, District, State or local been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

Answer. No.

Question 5. Have your taxes always been paid on time?

Answer. Several years ago I paid my District of Columbia Real Property Taxes several days late, was assessed a penalty, and paid that penalty. Other than this single incident, all my taxes have always been paid on time.

AFFIDAVIT

I, Geoffrey Michael Alprin, do swear that the information provided in this statement, is to the best of my knowledge, true and accurate.

Date: December 3, 1982.

GEOFFREY M. ALPRIN.

FAINDELLO R. SMALL, *Notary.*

Subscribed and sworn before me on this 3d day of December 1982.

My Commission Expires May 14, 1986.

VIRGINIA LEE RILEY

A. BIOGRAPHICAL INFORMATION

Question 1. Name: (Include any former names used.)

Answer. Virginia Lee Riley.

Question 2. Address: List current residence address and mailing address.

Answer. 3133 Connecticut Avenue, NW., Washington, D.C. 20008 (Residence); 1000 Ring Building, 1200 18th Street, NW., Washington, D.C. 20036 (Office).

Question 3. Date and Place of Birth.

Answer. June 17, 1923, in Washington, D.C.

Question 4. Marital Status: (Include maiden name of wife or husband's name.)

Answer. Never married.

Question 5. Names and ages of children.

Answer. No children, either living or deceased.

Question 6. Education: List institution(s), dates attended, degree received and date degree granted.

Answer.

Name and location of school	From—	To—	Degree
John Eaton Elementary School, 34th and Lowell Sts. NW., Washington, D.C.	September 1928	June 1934	Completed through 6th grade.
Alice Deal Junior High School, Fort Drive and Nebraska Ave., Washington, D.C.	September 1934	June 1937	
Woodrow Wilson High School, Nebraska Ave. NW., Washington, D.C.	1937	1940	High school.
Washington School for Secretaries, 14th and F Sts. NW., Washington, D.C.	1940	1941	
George Washington University, Washington, D.C.	1942	1943	
National University Junior College, Washington, D.C.	1943	1945	AA.
National University Law School	1945	1949	LL.B.
George Washington University Law School, Washington, D.C	1954	1956	LL.M.

Question 7. Employment record: List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

Answer.

Names of employer and address	From—	To—	Type of Work	Reason for leaving
Pierson, Ball & Dowdy, 1200 18th St. NW., Washington, D.C. 20036.	Aug. 1, 1962	Sept. 30, 1982.	Attorney (partner)	Still employed.
Smith, Ristig & Smith, 815 15th St. NW., Washington, D.C. (Current address 1125 15th St. NW., Washington, D.C.)	Approximately April 1951.	July 7, 1962	Attorney	On death of R. P. Smith, firm no longer handled work of Shriner's Hospitals for Crippled Children.
Warren Miller Bar Bldg., 912 17th St. NW., Washington, D.C.	Approximately January 1951.	March 1951	do	Offer of better position.
Law Offices of Ernest L. Wilkinson, 735 Jackson Pl. NW., Washington, D.C.	1949	1951	Law clerk and secretary.	Do.
David L. Blanken & Milton Vollmer, Warner Bldg., 13th and E St. NW., Washington, D.C.	Approximately 1946.	1949	Secretary/law clerk	Do.
Invention, Inc., Munsey Bldg., 13th and E St. NW., Washington, D.C.	Approximately 1944.	1946	Secretarial and patent abstraction.	Do.

Question 8. Government Experience: List any experience in, or association with Federal, state or local governments, including any advisory, consultative, honorary or other part-time service or positions.

Answer. I have been a member, since 1973, of the Fiduciary Rules Advisory Committee of the Superior Court of the District of Columbia.

I have been a member of the D.C. Judicial Conference each year since its inception.

Question 9. Business Relationships: List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership or other business enterprise, educational, or other institution.

Answer. The Superior Court of the District of Columbia Probate Division, has appointed me to the following fiduciary positions: Conservator of Jessie Himelfarb Becker; Personal Representative of Estate of Laura H. Gambling: Executrix of Estate of Marjorie M. Riley; Successor Administratrix d.b.n. of Estate of Frank Lee Barnett; Guardianship *ad litem* for Campbell Wood, Jr., Ward, in Estate of Anna Grace Wood Banker; As Administratrix of the Estate of Alda Lee Souza I have completed all of the Court's requirements to close that estate.

I am a partner in the law firm of Pierson, Ball & Dowd and am Secretary of the Partnership.

I am a member of the Finance Committee of Potomac Area Council, Camp Fire.

I am a member of the Steering Committee of Division VIII of the D.C. Unified Bar.

As a result of my telephone conversation with your staff member, Margaret Hecht, I understand that I am not required to list the clients of the law firm of which I am a partner, Pierson, Ball & Dowd, who consult with me from time to time on business matters. Should it be determined that this information is required, I will submit it at a later date under separate cover.

Question 10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, charitable and other organizations.

Answer. Member of: D.C. Bar and Steering Committee of its Division VIII; Bar Association of the D.C. and its Probate and Trust Law Committee; Women's Bar Association of the D.C.; American College of Probate Counsel; American Bar Association, member of Real Property, Probate and Trust Law Division and Subcommittee on Significant Probate and Trust Decisions; International Academy of Estate and Trust Law; Kappa Beta Pi International Legal Sorority; National Association of Women Lawyers; Potomac Area Council, Camp Fire, and member of its Finance Committee.

I am an Episcopalian, having grown up and been confirmed in All Souls Memorial Episcopal Church, where I taught Sunday school for between 15 and 20 years. From 1972 to 1981 I was chorister and soloist at Christ Episcopal Church, and am currently a communicant of St. John's Church, Lafayette Square.

I am not a member of any social clubs.

Question 11. Political affiliations and activities: List all offices with a political party or any public office for which you have been a candidate. List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

Answer. None.

Question 12. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements.

Answer. Honors received: Pre-law—Full tuition scholarship from Women's Bar Association of District of Columbia; University Price for highest scholastic standing during entire course of pre-law study. Law—Full tuition scholarship and books from Kappa Beta Pi International Legal Sorority. Prizes for highest recognition in Negotiable Instruments, Evidence, Taxation, Real Property, and Trusts; highest average in the First and Second Year Classes: Bureau of National Affairs prize to "the graduating student who most merits the award." Salutatorian of graduating class. D.C. Bar Association—The Bar Association of the District of Columbia certificate of appreciation to Chairman of the Probate and Trust Law Committee, 1976 for efforts to reform D.C. probate procedures.

Question 13. Published Writings: List the titles, publishers and dates of books, articles, reports or other published materials you have written.

Answer. "A Practitioner's Guide to the D.C. Probate Reform Act of 1980," published in "*The District Lawyer*, March–April, 1981."

As Chairperson of the ABA Committee on Significant Probate and Trust Decisions from 1973 through 1976, I prepared a nation-wide report on Court decisions based on case abstracts submitted by Committee members. These reports appeared in the Spring issues of the publication of the Real Property, Probate and Trust Section of the ABA, during my years as Chair.

I prepared approximately half of the materials supplied to Continuing Legal Education students on D.C. Probate and Administration of Decedent's Estates, given during the spring of 1981 by the D.C. Bar.

Outline on "Inventory Appraisls and Marshaling Assets Under the District of Columbia Probate Reform Act of 1980" supplied to students attending D.C. Bar and Georgetown University Law Center seminars in 1980 on the D.C. Probate Reform Act.

Question 14. Speeches: Provide the Committee with two copies of any formal speeches you have delivered during the last five years which you have written copies of and which are on topics relevant to the position for which you have been nominated.

No formal speeches.

Question 15. Selection: a. Do you know why you were chosen for this nomination by the President?

b. What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

Answer. I made application for this nomination to the D.C. Judicial Nomination Commission and was in due course recommended by that Commission for consideration by the President.

I have had 30 years in the general practice of law in the District of Columbia and am a native Washingtonian and have resided in this jurisdiction all my life. I believe I have the necessary judicial temperament and am deeply interested in maintaining the excellence of the D.C. Judicial system.

B. FINANCIAL DATA (RETAINED IN COMMITTEE FILES)

C. FUTURE EMPLOYMENT RELATIONSHIPS

Question 1. Will you sever all connections with your present employers, business firms, business associations or business organization if you are confirmed by the Senate?

Answer. Yes. (See Exhibit F for termination provisions of Partnership Agreement of Pierson, Ball & Dowd.[1])

Question 2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

Answer. No.

Question 3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

Answer. No.

Question 4. Has anybody made a commitment to employ your services in any capacity after you leave goverment service?

Answer. No.

Question 5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

Answer. Yes.

D. POTENTIAL CONFLICTS OF INTEREST

Question 1. Describe all financial arrangements, deferred compensation agreements, and other containuing dealings with business associates, clients or customers.

Answer. See Exhibit F attached.[1]

Question 2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

Answer. No known potential conflicts of interest.

Question 3. Describe any business relationship, dealing or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict or interest in the position to which you have been nominated.

Answer. At this time I am unaware of any possible conflicts of interest that might result from any business relationships, dealings or financial transactions in which I have engaged during the past ten years. Obviously such a conflict could arise if a lawsuit were to be filed in the Superior Court for the District of Columbia with respect to any such transactions. No such lawsuits have been threatened, nor am I aware of any facts that would tend to support such a suit.

Question 4. Describe any activity during the past ten years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

Answer. As Chairperson of the Steering Committee of Division VIII, D.C. Bar, I sought the modification of the following legislation as introduced in the D.C. Council: D.C. Probate Reform Act of 1980; and D.C. Estate Tax of 1981.

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[1] Retained in committee files.

Question 5. Explain how you will resolve any potential conflict of interest including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

Answer. I would recuse myself from any case in which I would have a potential conflict of interest.

Question 6. Do you agree to have written opinions provided to the Committee by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any other legal barriers to your serving in this position?

Answer. Yes.

E. LEGAL MATTERS

Question 1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any courts, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer. I have never been disciplined or cited for a breach of ethics or unprofessional conduct. To the best of my knowledge I have only once been the subject of a complaint. In that case our firm had sued a former client, Hilda Weisman, for non-payment of a fee, and she retaliated by filing a complaint with the D.C. Bar, alleging that our fee was too high. On receipt of a copy of her complaint, I filed with Bar Counsel an in-depth summary of the time spent on her case, and the matter was dismissed.

Question 2. Have you ever been investigated, arrested, or charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

Answer. No.

Question 3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

Answer. Our firm is suing Shirley and Thomas Casparino in the United States District Court for the District of New Jersey, Civil Action 82-2354, for non-payment of attorneys' fees. Defendants have filed a counter-claim seeking return of $10,000 in fees already paid and undefined compensatory and punitive damages. I had no personal involvement in the matters covered by this suit, which is still in litigation.

In *Martin Trigona* v. *Pierson, Ball & Dowd*, 82 Civ 5923 (LBS), brought in the United States District Court of the Southern District of New York under the Civil Remedy Provisions of the Racketeer Influenced and Corrupt Organization Act (RICO), 18 U.S.C. §§ 1961–1938, and other State law and constitutional theories, our firm's motion to dismiss was granted. The time to file an appeal has run, and no notice of appeal has been filed. I was not personally involved in the matters relating to this suit.

All of the partners of our firm were sued a number of years ago by Manatee Cablevision in connection with a matter in which I had no personal involvement; this suit was later dismissed with prejudice. (There was no monetary payment in settlement made by our firm.)

In a number of instances I have brought or defended litigation as a part of my duties as Executor or Administrator of various estates handled throughout the years. If the Committee wishes information with respect to such litigation, I will be glad o supply it.

Question 4. Have you ever been convicted (including pleas of guilty or *noto contendere*) of any criminal violation other than a minor traffic offense?

Answer. No.

Question 5. Please advise the Committee of any addition information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

F. QUESTIONS CONCERNING STATUTORY QUALIFICATIONS, PURSUANT TO DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970, SEC 11–1501(b) OF THE D.C. CODE AS AMENDED

Question 1. Are you a citizen of the United States?

Answer. Yes.

Question 2. Are you a member of the Bar of the District of Columbia?

Answer. Yes.

Question 3. Have you been a member of the District of Columbia Bar for at least 5 years? (Give year in which you became a member.)

Answer. Yes. (Became a member in 1949.)

Question 4. If the answer to No. 3 is "no,"

a. Are you a professor of law in a law school in the District of Columbia?

b. Are you an attorney employed in the District of Columbia by the United States or the District of Columbia?

c. Have you been eligible for membership in the Bar of the District of Columbia for at least 5 years?

d. Upon what ground is that eligibility based?

Answer. Not applicable.

Question 5. Are you a bona fide resident of the District of Columbia.

Answer. Yes.

Question 6. Please state the addresses of your actual place of abode (including temporary residences) with dates of occupancy for the last 5 years.

Answer. I have resided at 3133 Connecticut Avenue NW., Washington, D.C., for all of the last 5 years.

Question 7. Have you maintained an actual place of abode in such area for at least 5 years?

Answer. Yes.

Question 8. Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nomination Commission?

Answer. No.

Question 9. Have you been a member of either Commission within the last 12 months?

Answer. No.

G. STATUS OF TAX LIABILITY

Question 1. Would you state for the record whether all your taxes, Federal, State, and local, are current as of this date?

Answer. Yes.

Question 2. Are you or any member of your immediate family presently involved in any controversy or litigation with tax authorities of the Federal Government, the District of Columbia, or any State or local governments?

Answer. No.

Question 3. Have you or any member of your immediately family ever been involved in such controversy or litigation at any time in the past with any Federal, District of Columbia, State, or local government?

Answer. No.

Question 4. Have any tax liens, either Federal, District, State, or local been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership?

Answer. No.

Question 5. Have your taxes always been paid on time?

Answer. All income taxes have been paid on time; some small quarterly installments of household employee's FICA tax have been delayed.

AFFIDAVIT

I, Virginia L. Riley, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

Date: December 3, 1982.

VIRGINIA L. RILEY.

HELEN A. WISHER, *Notary.*

My Commission Expires October 31, 1983.

Senator MATHIAS. Is there anything that any other person in the room wants to say with regard to this nomination?

If not, we thank you for being here today, and the committee will stand adjourned, subject to the call of the Chair.

Mr. ALPRIN. Thank you, Mr. Chairman.

Ms. RILEY. Thank you, sir.

[Whereupon, at 3:10 p.m., the committee recessed, to reconvene at the call of the Chair.]

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